

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: BOGAERTS et al. Examiner: Unknown  
 Serial No.: 10/517573 Group Art Unit: Unknown  
 Filed: December 9, 2004 Docket: 09997.0112USWO  
 Confirmation No.: 2648 Notice of Allow. N/A  
 Date:  
 Due Date: September 18, 2005  
 Title: GUIDING MEMBER FOR SURGICAL INSTRUMENTS, SURGICAL INSTRUMENTS,  
 COUPLING AND USES THEREOF

## CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop PCT, Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 on August 9, 2005.

By: 

Name: Natalie Berland

Mail Stop PCT  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450

**23552**

PATENT TRADEMARK OFFICE

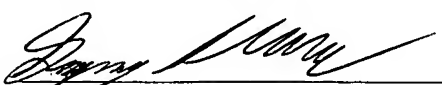
Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Notice to File Missing Requirements Under 35 USC 371
- ☒ Certified copies of a United States applications, Serial No. 60/407459, filed August 30, 2002, Serial No. 60/392737, filed June 28, 2002, and Serial No. 60/392736 filed June 28, 2002, the right of priority of which is claimed under 35 U.S.C. 119
- ☒ Small entity status has been previously established
- ☒ Signed Combined Declaration and Power of Attorney
- ☒ Check(s) in the amount of \$65 for Submission of Missing Requirements
- ☒ Other: Communication regarding Submission of Missing Requirements, Communication regarding Submission of Priority Documents
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

Merchant & Gould P.C.  
 P.O. Box 2903  
 Minneapolis, MN 55402-0903  
 612.332.5300

By:   
 Name: Gregory A. Sebald  
 Reg. No.: 33,280  
 GAS/ncb

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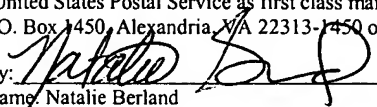
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S/N 10/517573

PATENT

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By:   
Name: Natalie Berland

COMMUNICATION REGARDING MISSING REQUIREMENTS

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Commissioner:

In connection with the above-identified application, enclosed please find the originally signed Combined Declaration and Power of Attorney. Also enclosed is our check in the amount of \$65.00 to cover the Missing Requirements completion fee. Please note that the Applicant hereby establishes small entity status, and therefore, has paid half of the fee.

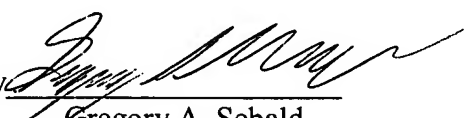
08/17/2005 MKAYPAGH 00000071 10517573

01 FC:2617 65.00 DP

23552  
PATENT TRADEMARK OFFICE

Respectfully submitted,  
MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Dated: 8/9/05

By:   
Gregory A. Sebald  
Reg. No. 33,280

GAS/ncb

S/N 10/517573

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|             |   |                 |                |
|-------------|---|-----------------|----------------|
| Applicant:  | BOGAERTS et al.   | Examiner:       | Unknown        |
| Serial No.: | 10/517573   | Group Art Unit: | Unknown        |
| Filed:      | December 9, 2004  | Docket No.:     | 09997.0112USWO |
| Title:      | GUIDING MEMBER FOR SURGICAL INSTRUMENTS, SURGICAL<br>INSTRUMENTS, COUPLING AND USES THEREOF |                 |                |

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By: Natalie Berland  
Name: Natalie Berland

SUBMISSION OF PRIORITY DOCUMENT(S)

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Commissioner:

Applicants enclose herewith certified copies of United States applications, Serial No. 60/392736, filed June 28, 2002, Serial No. 60/392737, filed June 28, 2002, and Serial No. 60/407459, filed August 30, 2002, the right of priority of which is claimed under 35 U.S.C. § 119.

Respectfully submitted,

**23552**

PATENT TRADEMARK OFFICE

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Dated: 8/9/05

By: Gregory A. Sebold  
Gregory A. Sebold  
Reg. No. 33,280

GAS/ncb



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

|   |   |                                      |
|---|---|--------------------------------------|
| U.S. APPLICATION NUMBER NO.<br>10/517,573 | FIRST NAMED APPLICANT<br>Georges Bogaerts | ATTY. DOCKET NO.<br>09997.0112USWO ✓ |
|---|---|--------------------------------------|

|   |
|---|
| INTERNATIONAL APPLICATION NO.<br>PCT/BE03/00113 |
|---|

|                                |                             |
|--------------------------------|-----------------------------|
| I.A. FILING DATE<br>06/26/2003 | PRIORITY DATE<br>06/28/2002 |
|--------------------------------|-----------------------------|

23552  
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 MINNEAPOLIS, MN 55402-0903

*GAS*  
 Miss Reg 2: 09/18/2005-  
 Miss Reg 3/PTA: 10/18/2005-  
 Miss Reg stat: 08/18/2006 D.

Date Mailed: 07/18/2005

CONFIRMATION NO. 2648  
 371 FORMALITIES LETTER



\*OC000000016540696\*

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 12/09/2004
- Copy of the International Search Report filed on 12/09/2004
- Preliminary Amendments filed on 12/09/2004
- Information Disclosure Statements filed on 12/09/2004
- Oath or Declaration filed on 12/09/2004
- Request for Immediate Examination filed on 12/09/2004
- U.S. Basic National Fees filed on 12/09/2004
- Specification filed on 12/09/2004
- Claims filed on 12/09/2004
- Drawings filed on 12/09/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

PROLAW

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Late oath or declaration Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAYA L LEWIS BALTIMORE

Telephone: (703) 308-9140 EXT 202

**PART 1 - ATTORNEY/APPLICANT COPY**

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/517,573                  | PCT/BE03/00113                | 09997.0112USWO   |